

PATENT

Atty Docket No.: 200209086-1

App. Ser. No.: 10/802,163

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks. Claims 1-19 are pending in the present application of which claims 1, 5, 10, 13, and 18 are independent, and claim 19 is new.

Claims 1-18 were rejected under 35 U.S.C. §102(e) as being anticipated by Ofir et al. (7,219,149), referred to as Ofir.

Claim Rejection Under 35 U.S.C. §102 (e)

The test for determining if a reference anticipates a claim, for purposes of a rejection under 35 U.S.C. § 102, is whether the reference discloses all the elements of the claimed combination, or the mechanical equivalents thereof functioning in substantially the same way to produce substantially the same results. As noted by the Court of Appeals for the Federal Circuit in *Lindemann Maschinenfabrick GmbH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. § 102, the Court stated:

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.

Therefore, if the cited reference does not disclose each and every element of the claimed invention, then the cited reference fails to anticipate the claimed invention and, thus, the claimed invention is distinguishable over the cited reference.

Claims 1-18 were rejected under 35 U.S.C. §102(a) as being anticipated by Ofir.

According to embodiments described in the Applicants specification, a switch is operable to perform composite and/or multi-host transactions. For example, the switch 202

PATENT

Atty Docket No.: 200209086-1

App. Ser. No.: 10/802,163

includes modules for determining whether a received primary transaction is a composite or a multi-host transaction. The determination may be based on one or more of the payment type, transaction type, and response code from a host sending a response to the primary transaction. For example, based on one or more of the payment type, transaction type, and the response code, the analyzing module determines whether the transaction should be sent to a second host for processing. See paragraphs 13, 14 and 20-21. Conventional switches typically do not support composite transactions and typically are unable to determine whether a transaction is a composite transaction or a multi-host transaction.

Independent claims 1 and 18

Independent claims 1 and 18 recite:

determining a need for transmitting the primary transaction request to another host.

The rejection alleges the features of determining a need for transmitting the primary transaction request to another host are disclosed in Ofir in col. 30, lines 25-45. In this passage, Ofir discloses that if a primary connection from the terminal adapter to a client node fails, then a secondary connection (e.g., dial-up) between the terminal adapter and the client node and then transaction processing is proceeded.

Firstly, Ofir does not disclose determining whether there is a need for transmitting the primary request to another host. In Ofir, if there is failure, the transaction is transmitted to the same host and not another host. When the terminal adapter is sending the transaction request to the client node, the terminal adapter selects a service name that identifies the host.

PATENT

Atty Docket No.: 200209086-1

App. Ser. No.: 10/802,163

See Ofir, col. 29, lines 64-67. Thus, regardless which client node receives the request from the terminal adapter, the terminal adapter is always forwarded to the same host.

Ofir discloses that when the dial-up connection is initiated as the secondary connection, the connection may be with the same client node or a different client node. See col. 30, lines 38-40. However, the client node is not "another host". Instead, the client node transmits the request to the same host as would have been done via the primary connection. Furthermore, neither the client node nor the terminal adapter makes a determination as to whether to transmit to a second host.

New claim 19 dependent on claim 1 has been added to further claim the following:

wherein the determining a need for transmitting the primary transaction request to another host comprises determining the need for transmitting the primary transaction request to another host based on at least one of a payment type in the primary transaction request, a transaction type in the primary transaction request and a response code in the response received from the identified host.

Ofir fails to teach or suggest determining the need for transmitting the primary transaction request to another host based on at least one of a payment type in the primary transaction request, a transaction type in the primary transaction request and a response code in the response received from the identified host.

Also, dependent claim 4 recites a secondary transaction containing a reference to a primary transaction. Ofir fails to teach the request sent on the secondary connection references the request sent on the primary connection. Also, claim 4 recites transmitting a request reversing the primary transaction. Ofir fails to teach such a request.

PATENT

Atty Docket No.: 200209086-1

App. Ser. No.: 10/802,163

Independent claim 5

Independent claim 5 recites,

preparing a plurality of transaction packets for transmission to a plurality of hosts based on the transaction type and the payment type;
receiving a plurality of responses at the switch from the plurality of hosts, and
interpreting the plurality of responses and transmitting a final outcome to the initiator.

Ofir fails to teach a plurality of hosts and sending a plurality of packets to the hosts based on the transaction type and the payment type. Ofir discloses a single host, as shown in figures 4 and 5, for receiving and responding to a request. The rejection cites col. 30, lines 10-15 of Ofir as allegedly disclosing this feature. It appears that the rejection is interpreting the service node as a first host forwarding the request to the host 36. This interpretation of a service node as a host is unreasonable at least for the fact that Ofir distinguishes a service node from a host by calling a service node a node and by calling a host a host. The service node 25b does not perform the transaction processing performed by the host 36 and its processors. Furthermore, claim 5 recites sending to a plurality of hosts based on payment type. Ofir discloses a transaction type in col. 29, lines 64-67, but fails to teach taking into consideration payment type when sending the request to the service node or the host.

Ofir also fails to teach receiving a plurality of responses at the switch from the plurality of hosts. Instead, Ofir only discloses a single response. The response is sent from the host to the network and the network forwards the same response to the terminal adapter. See Ofir, col. 30, lines 18-24 and col. 13, lines 31-37 and the simple response 414 in figure 4.

PATENT

Atty Docket No.: 200209086-1
App. Ser. No.: 10/802,163

Since there is only a single response in Ofir, Ofir also fails to teach interpreting a plurality of responses.

The features of dependent claim 9 are similar to the features of claim 4 described above and not taught by Ofir.

Independent claims 10 and 13

Independent claims 10 and 13 have been amended to recite,

means for identifying the primary transaction request as multi-host,
wherein a multi-host transaction is a transaction that has to be routed to multiple hosts;

means for identifying the transaction as composite, wherein a composite transaction comprises a plurality of transactions, each to be transmitted to a different host, and the plurality of transactions have different payment types and transaction types;

means for identifying the transaction as both multi-host and composite.

Ofir fails to teach these features. The rejection alleges that identifying a transaction as composite, multi-host or both is disclosed in Ofir col. 29, lines 55-65 and col. 30, lines 1-15. In these passages, Ofir discloses a simple transaction type. However, Ofir fails to teach identifying the transaction as the claimed composite or multi-host transaction type.

Also, Ofir fails to teach identifying the payment type, as recited in dependent claim 12. Ofir fails to teach a request for reversing a primary transaction, as recited in dependent claim 17.

For at least these reasons, claim 1-19 are believed to be allowable.

PATENT

Atty Docket No.: 200209086-1

App. Scr. No.: 10/802,163

Conclusion


In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

Dated: November 1, 2007

By


Ashok K. Mannava
Registration No.: 45,301

MANNAVA & KANG, P.C.
8221 Old Courthouse Road
Suite 104
Vienna, VA 22182
(703) 652-3822
(703) 865-5150 (facsimile)